

0177

1 MR. HARRIS: Q. Let's clarify our terminology.

2 When we are speaking of flow-through capability, we are

3 speaking of either the retail service rep for Pacific Bell

4 or -- let me withdraw that.

5 How can we best clarify it, our discussion here?

6 We are not talking about the end user placing the order,

7 we are speaking of the CLEC placing an order for resale

8 services, and whether they have flow-through capability to

9 Pacific Bell versus a Pacific Bell retail service rep

10 placing the order directly into the system.

11 A. Okay.

12 Q. Does that clarify it?

13 A. I think, based on our previous discussion, yeah.

14 I think I understand your question, and it gets to human

15 error, manual intervention associated with resale services

16 versus that of retail services.

17 And again, the 5/31 will address basic exchange

18 migration requests, so measure business, flat residence,

19 measure residence vertical features associated with those

20 services.

21 When an end user is migrating -- an end-user

22 customer is migrating from Pacific Bell to a CLC, there

23 will be the ability for the CLC to enter that request for

24 that migration into Cleo, and that request will generate a

25 service order automatically, without human intervention.

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1 And that service order will go into the service order

2 system and the downstream provisioning systems in the same

3 way as a retail service order is entered by a retail

4 service rep into the service order system.

5 Q. That's fine, thank you. Do you expect -- do you

6 expect any effect on the LISC's capacity upon the release

7 of EDI?

8 A. I frankly don't have any knowledge as to what

9 EDI is going to do relative to the LISC capacity.

10 Q. Are you not working with Greg Torretta in

11 discussing the OBF forum and the industry standards being

12 set forth for EDI?

13 A. Yes, but not in terms of LISC capacity.

14 MR. HARRIS: Okay. Thank you. I have nothing

15 further.

16 MR. KOLTO-WININGER: I am going to clarify an

17 issue with the witness.

18

19 EXAMINATION BY KOLTO-WININGER

20 MR. KOLTO-WININGER: Q. Since the time that you

21 prepared your recommendation to staff the LISC with some

22 700 plus employees, has Pacific Bell, to your knowledge,

23 undertaken any efforts to hire a number of employees that

24 approaches or exceeds that number?

25 A. Yes.

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1 Q. In your opinion, would it be fair to say that

2 Pacific Bell has failed to respond to your recommendation?

3 A. No.

4 Q. And would it be fair to say that Pacific Bell

5 has not acted in response to your recommendation?

6 A. No.

7 MR. KOLTO-WININGER: That's all I have, thank  
8 you.

9 MR. ETTINGER: Can we have a minute off the  
10 record.

11 (Discussion off the record.)

12 MR. ETTINGER: Can I ask a follow-up to your  
13 question?

14 MR. KOLTO-WININGER: Sure.

15

16 FURTHER EXAMINATION BY MR. ETTINGER

17 MR. ETTINGER: Q. Based on the questions that

18 Mr. Kolto-Wininger has asked you, I believe you stated

19 that it's your opinion that Pacific is acting on your

20 recommendation to hire additional --

21 MR. KOLTO-WININGER: Object -- sorry, go ahead.

22 MR. ETTINGER: Q. -- to hire additional

23 employees?

24 MR. KOLTO-WININGER: Objection.

25 Mischaracterizes the testimony. But go ahead and answer.  
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1 THE WITNESS: Give me the first part of the  
2 question again.

3 MR. ETTINGER: I will rephrase the question.

4 MR. KOLTO-WININGER: Do you want to go off the  
5 record?

6 MR. ETTINGER: Let's go off the record then,  
7 fine.



CCPY

Att + mca

u-11-97 Workshop Comments

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA

RECEIVED

APR 14 1997

Rulemaking on the Commission's Own Motion to Govern Open Access to Bottleneck Services and Establish a Framework for Network Architecture Development of Dominant Carrier Networks.	R.93-04-003
Investigation on the Commission's Own Motion into Open Access and Network Architecture Development of Dominant Carrier Networks.	I.93-04-002
Order Instituting Rulemaking on the Commission's Own Motion into Competition for Local Exchange Service.	R.95-04-043
Order Instituting Investigation on the Commission's Own Motion into Competition for Local Exchange Service.	I.95-04-044

COMMENTS OF AT&T COMMUNICATIONS OF CALIFORNIA, INC. (U 5002 C)  
AND MCI TELECOMMUNICATIONS CORP. (U 5011 C) ON SUPPLEMENTAL  
OPERATIONS SUPPORT SYSTEMS FILINGS OF PACIFIC BELL AND GTE  
CALIFORNIA, INC. AND WORKSHOP AGENDA

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April 11, 1997

## I. INTRODUCTION

Pursuant to the April 4, 1997 Administrative Law Judges' Ruling Scheduling Workshops and Prehearing Conference on Operations Support Systems, AT&T Communications of California, Inc. ("AT&T") and MCI Telecommunications Corporation ("MCI") submit their comments on the supplemental operations support systems ("OSS") filings made by Pacific Bell ("Pacific") and GTE California, Inc. ("GTEC") (collectively "ILECs") and on the agenda for the workshops commencing on April 29, 1997. AT&T and MCI suggest that the Commission bifurcate these workshops between the investigation into current operational problems competing carriers are experiencing in obtaining access to Operations Support Systems and the investigation into the manner and cost of providing access to necessary Operations Support Systems on a forward-looking and more permanent basis.<sup>1</sup> AT&T and MCI suggest four days of workshops on the latter investigation, and will not comment on how many days are necessary for the former investigation. AT&T and MCI suggest that these four days of workshops take up for each Operations Support System the issues of:

- (1) What functionalities do the ILECs provide themselves for Operations Support Systems?
- (2) How do the ILECs provide those functionalities to themselves, including what metrics objectively measure whether the ILEC is providing the functionality to an established quality standard?
- (3) How do the ILECs intend to provide those functionalities (including electronic interfaces) to competitors on a permanent forward-looking basis?
- (4) What is the TELRIC of providing such functionalities to competitors?

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<sup>1</sup> When AT&T and MCI refer in these comments to the forward looking Operations Support Systems of Pacific and GTEC, they are, for the interfaces, referring to true electronic interfaces or electronic bonding.

AT&T and MCI believe that the workshops should take up the Operations Support Systems of GTEC and Pacific at the same time.

## **II. BACKGROUND**

### **A. Procedural Background**

As will be recalled, the Commission ordered Pacific and GTEC to file written descriptions of their OSS systems on March 4, 1997 in order to facilitate the development of a record. At a prehearing conference held on March 11, 1997, AT&T, MCI and many other parties complained that these OSS descriptions were incomplete and inadequate. In particular, those initial descriptions failed to set forth how both ILECs used their respective OSS systems to serve their own customers. Because of these deficiencies, the Commission ordered Pacific and GTEC to file and serve supplemental descriptions of their systems.<sup>2</sup> In addition, a mini-workshop was held on March 14th so that parties could air their concerns about the ILECs' initial descriptions.

On March 25, 1997, a further prehearing conference was held to determine a course of action. At the conference, several parties expressed concern about current problems with the ILECs' provision of OSS, such as customer disconnects at the time of transferring to the competitor. There was also a discussion about the relationship of this OSS docket to complaint cases filed against Pacific by AT&T and MCI concerning current OSS problems and deficiencies. Several parties noted that the complaint cases were addressing the existing inability of ILECs to provide OSS, while the primary focus of this proceeding was the need to implement, cost, and price the forward-looking Operations Support Systems interface and underlying system functions. Several parties, including AT&T and MCI, viewed this docket as focusing on the standards, systems and functions that the ILECs will establish on a forward-looking basis in order to comply with the Act.

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<sup>2</sup> These supplemental descriptions were filed with the Commission and served on parties on March 21, 1997 after both ILECs had been granted a one day extension.

With regard to the supplemental OSS descriptions, the parties had only had a brief chance to review the filings at the time of the March 25 conference, and the general consensus was that the supplements were an improvement over the initial descriptions, but that significant holes still remained that would have to be addressed. After hearing from the parties, the administrative law judges decided to proceed to workshops starting on April 29, 1997 through May 2, 1997. The parties were also directed to file comments on the ILECs' supplemental OSS descriptions on April 11, 1997 in order to assist the Commission in formulating an agenda for the workshops commencing on April 29. A further prehearing conference will be held on May 13, 1997 to assess the progress made at the workshops.<sup>3</sup>

**B. Requirements of the Telecommunications Act of 1996.**

Because it is the Telecommunications Act of 1996 (the "Act") which mandates that Pacific and GTEC make OSS available to competitive local carriers ("CLCs"), a review of the Act's requirements will help focus the scope of the issues parties should address during the workshops starting later this month. The Act provides that incumbent local exchange carriers like Pacific and GTEC must "... provide, to any requesting telecommunications carrier for the provision of a telecommunications service, nondiscriminatory access to network elements on an unbundled basis at any technically feasible point on rates, terms and conditions that are just, reasonable and nondiscriminatory . . . ." Telecommunications Act of 1996, 47 U.S.C. § 251(c)(3). In interpreting this requirement, the Federal Communications Commission ("FCC") has ruled that:

*... incumbent LECs must provide carriers purchasing access to unbundled network elements with the pre-ordering, ordering, provisioning, maintenance and repair, and billing functions of the incumbent LECs operations support systems. Moreover, the incumbent must provide access to these functions under the same*

---

<sup>3</sup> At the prehearing conference, AT&T and MCI reserved their rights to pursue discovery if the need arose.



*terms and conditions that they provide these services to themselves or their customers.*

FCC First Report and Order, August 8, 1996, CC Docket 96-325, ("FCC Order") ¶ 316 (emphasis added).<sup>4</sup>

The FCC adopted stringent nondiscrimination requirements concerning ILEC provision of OSS to competitors in its rules implementing the Act. "The quality of an unbundled network element, as well as the quality of the access to the unbundled network element that an incumbent LEC provides to a requesting telecommunications carrier shall be the same for all telecommunications carriers requesting access to that network element . . ." and " . . . *shall be at least equal in quality to that which the LEC provides itself.*" 47 C.F.R. § 51.311 (emphasis added). This nondiscrimination requirement was expressly made applicable to the OSS element. 47 C.F.R. § 51.319(f).

The FCC also identified the critical importance of OSS to the development of competition in local exchange markets. In its August 8, 1996 order, the FCC noted that OSS systems "determine, in large part, the speed and efficiency with which incumbent LECs can market, order, provision, and maintain telecommunications services and facilities," and that "[o]perational interfaces are essential to promote viable competitive entry." FCC Order at ¶ 516. That same order also identified the OSS functions, information and databases that are important if competitors are going to have a chance of competing successfully in local exchange markets.

Much of the information maintained by these systems is critical to the ability of other carriers to compete with incumbent LECs using unbundled network elements or resold services. Without access to review, *inter alia*, available telephone numbers, service interval

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<sup>4</sup> While certain portions of the FCC Order have been stayed at this time by the Eighth Circuit Court of Appeals, Pacific's and GTEC's obligations to provide nondiscriminatory access to OSS to AT&T, MCI and other CLCs remain in effect and must be implemented.

information, and maintenance histories, competing carriers would operate at a significant disadvantage with respect to the incumbent. Other information, such as the facilities and services assigned to a particular customer, is necessary to a competing carrier's ability to provision and offer competing services to incumbent LEC customers. Finally, if competing carriers are unable to perform the functions of pre-ordering, ordering, provisioning, maintenance and repair, and billing for network elements and resale services in substantially the same time and manner than an incumbent can for itself, competing carriers will be severely disadvantaged, if not precluded altogether, from fairly competing. Thus providing nondiscriminatory access to these support systems functions, which would include access to the information such systems contain, is vital to creating opportunities for meaningful competition.

FCC Order at ¶ 518 (footnotes excluded).

### **III. DISCUSSION**

#### **A. The Commission Should Address The Problems Concerning The ILECs' Current Provision Of Operations Support Systems Separate From The Issue Of What Is the Permanent Long-Run Solution For Providing Operations Support Systems.**

AT&T and MCI believe that the primary focus of the upcoming workshops should be on defining and determining the TELRIC of what OSS Pacific and GTEC will have in place on a forward-looking basis in order to comply with the Act's requirements. As the Commission knows, AT&T and MCI, as well as Sprint, have already instituted complaint cases at the Commission addressing Pacific's current inability to provide ordering, provisioning and other OSS services in an adequate fashion. AT&T and MCI do not want to bring the issues the complaint cases will resolve into this proceeding and suggest that the Commission keep the existing problems with the ILECs' OSS systems separate from the issues of what functions, at what cost, and to what standards the two ILECs will ultimately provide to competitors the interface and underlying systems of Operations Support Systems. However, other parties may not have a forum in which to litigate the problems they may be having with the ILECs' current systems, and may want some opportunity to address those issues in this proceeding. AT&T and

MCI support providing those companies with such an opportunity; however, we would like to have a clear delineation between the time spent on those issues and that spent on forward-looking issues and long term solutions.

AT&T and MCI are concerned that the interjection of current problems during discussions of the ILECs' forward-looking plans, systems and standards for OSS would add complexity and confusion to the issues surrounding the more permanent offerings. Such an approach could also add the contention and incrimination of the complaint proceedings into the workshops and undermine their usefulness. Furthermore, bringing the issues in AT&T's and MCI's complaints into this proceeding is an inefficient use of resources because it causes both the Commission and some of the parties to address the same evidence in two proceedings. Thus, AT&T and MCI urge the Commission to adopt an agenda clearly bifurcating these present problems from the issues surrounding the forward-looking OSS that Pacific and GTEC will ultimately provide.

By segregating the discussion of current problems from the discussion of the ILECs' future plans, the workshops will be more productive for all concerned. With this approach, the parties could explore the forward-looking solutions in a less adversarial and more cooperative process and, hopefully, arrive at the optimal solutions for the ILECs' long-term compliance with the Act's requirements.

Because the forward-looking implementation of OSS will impact all parties, and all California consumers, and because the impacts will be of substantial duration, AT&T and MCI are proposing that the four days of workshops be devoted to the standards, schedules and plans for the ILECs' forward-looking OSS. As to the forward-looking issues, AT&T and MCI propose that the first day of workshops (April 29) be devoted to the issue of GTEC's and Pacific's OSS interfaces with CLCs. The second day would address pre-ordering and ordering issues; the third day would take up provisioning; and the final day would consider billing, repair, and maintenance. On each of these days, and for each of the systems, AT&T and MCI suggest

three areas of inquiry, *i.e.*, what are the functionalities of each system, what are the standards of service for the system, and what is the cost of providing that functionality at those standards. A copy of the proposed agenda of AT&T and MCI is attached to this document as Attachment A.

AT&T and MCI also believe that the workshops should take up these issues for both Pacific and GTEC at the same time. Segregating the presentations of the two ILECs on different days would only result in inefficiency and duplicative questioning.

**B. The Commission Must Determine What Operations Support Systems Functionalities The ILECs Provide And Will Provide Themselves and How They Provide And Will Provide Such Functionalities To Themselves.**

The Commission cannot determine whether the ILECs are providing Operations Support Systems within the requirements of the Act and the FCC Order without determining what Operations Support Systems functionalities the ILECs provide themselves, and how the ILECs provide such functionalities to themselves and how they plan to do so in the future. The overarching principle in this investigation is clear: "...an incumbent LEC must provide nondiscriminatory access to their operations support systems functions for pre-ordering, ordering, provisioning, maintenance and repair, and billing available to the LEC itself." FCC Order ¶ 523. Accordingly, it is crucial that all participants in the workshops walk away understanding precisely what OSS functions Pacific and GTEC have available for themselves as well as how they provide those functions to themselves. Unfortunately, the ILECs' descriptions to date do not provide all of the information that is needed.

For example, notably missing from the ILECs' submissions is any description of the metrics that they use to measure the quality of the OSS they use in serving their customers. As sophisticated and established service providers, GTEC and Pacific have certainly established measurable standards of how long a service call lasts, how quickly a representative can accept a new phone order, or an upgrade order, or an order for an additional line, or what quantity of orders can be processed. All of these types of measurements are crucial for determining whether the ILECs are providing OSS to the CLCs that is comparable in quality with that which they

provide themselves. While it is true that the standards the ILECs use to measure their own retail operations are not at issue, the capabilities and organization of Operations Support Systems necessary to meet those retail operations results are at issue. The ILECs should be prepared to discuss these metrics at the workshops.

An example of these metrics is the still unanswered question of how the ILECs prioritize service or maintenance requests. Is it by time, by number of customers affected, by class of customer affected, or by locality, or are trouble reports processed on a first-come-first-serve basis? Only by knowing how the ILECs prioritize their own service calls can AT&T, MCI and other CLCs ascertain whether they are receiving the comparable treatment required under the Act.

Without further information on the issues of what functionalities make up the Operations Support Systems and how those functionalities are provided, the parties and this Commission cannot determine whether the ILECs have complied with their obligations under the Act to provide CLCs with OSS on equivalent terms and conditions. The ILECs should accordingly come to the workshop ready to provide more information on what and how they provide OSS functionalities to themselves and how they measure their own performance.

**C. The Commission Must Determine How The ILECs Intend To Provide Their Operations Support Systems To CLCs.**

The second critical goal of the workshops is to understand how Pacific and GTEC are going to provide CLCs access to OSS that is at least equal in quality to that which the ILECs provide themselves. On this issue again, Pacific's and GTEC's supplemental submissions contain notable gaps.

In its March 21 filing, for example, Pacific has endeavored to describe several separate computer systems that it uses for providing OSS, and the interface that is made available to competitors (known as CLEO). Unanswered, however, are such issues as whether CLEO will provide automatic and efficient access to the Billing and Order Support System, to the ExecuStar services, or to Premises Information Systems.

More importantly, Pacific's description of its forward-looking "OSS Gateway" is scant to say the least. In just a few sentences, Pacific attempts to describe how it proposes to provide CLCs with application-to-application pre-ordering and ordering capability on a real time basis. Pacific Supplemental Description, p. 45. Pacific should come prepared to discuss the details of its proposal at the workshops, and it should be prepared to address the question of how "OSS Gateway" access differs from Pacific's internal processes.

Another important issue that, to date, has been left unanswered by GTEC is how long it will take to implement automated OSS and to provide access to competitors. Unless GTEC is disregarding its obligations under the Act, it must have some sense of when its forward-looking functions and systems will be ready. But instead of providing information so that competitors can plan their affairs, GTEC merely claims uncertainty. See GTEC Supplemental Description, p. III.A.12.

Indeed, the ILECs' approach to some of the issues addressed in the prior workshop and submissions indicate that "uncertainty" is a recurring theme. Instead of providing *any* information about the capacity of its OSS systems, for example, GTEC instead asserted that further study was required, which would take 60 days. GTEC Supplemental Submission, p. III.A.3. In this approach, the ILECs have lost sight of their obligations.

Under the Act, the ILECs must provide access to their OSS that is at least equivalent to what they provide themselves.<sup>5</sup> If the ILECs need information from the CLCs in order to provide this access, then it is incumbent upon them to explain what information they need. Through their cloak of uncertainty, the ILECs have endeavored to turn the tables, and make the CLCs responsible for determining how OSS access will occur, and what information they need to provide to accommodate that service. The workshops should restore the inquiry to

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<sup>5</sup> Obviously, it is not sufficient for the ILECs simply to describe the systems they intend to provide. Rather, the test is whether the systems meet the Act's requirements.

its proper form: the ILECs should identify precisely what additional information, if any, they need from the CLCs in order to provide the OSS access that they are obligated to provide.

**D. The Commission Must Determine What Is The Cost Of Providing Operations Support Systems to CLCs.**

As a result of these workshops, all parties should be able to provide comments to the Commission concerning the cost of providing both the Operations Support Systems interface as well as the underlying systems. Thus, all parties should be prepared to address cost issues during the workshops. This includes investigating the non-recurring cost estimates the ILECs have provided earlier in this proceeding, because such cost estimates are largely driven by the functions associated with the underlying systems of OSS.

AT&T and MCI recommend the Administrative Law Judges establish a comment schedule that allows parties to address the cost of Operations Support Systems as quickly after the workshops as is possible so that the Commission might resolve the non-recurring cost issues before the end of 1997, ideally beginning approximately one month after the workshops are completed. Indeed, the expectation of a comment schedule on costs will motivate the parties to focus their efforts during the workshops and set the stage for resolving the current definitional issues.


#### IV. CONCLUSION

For these reasons, AT&T and MCI ask that the Commission adopt the attached proposed agenda for the OSS workshops commencing on April 29, 1997.

DATED: April 11, 1997

McCUTCHEN, DOYLE, BROWN & ENERSEN, LLP

By: \_\_\_\_\_

  
Gregory Bowling  
Attorneys for AT&T Communications  
of California, Inc.



## **Attachment A**

### **PROPOSED OSS WORKSHOP AGENDA OF AT&T AND MCI**

For each day of workshop the ILECs should provide a presentation that outlines:

- (1) What functionalities do the ILECs provide themselves for Operations Support Systems?
- (2) How do the ILECs provide those functionalities to themselves, including what metrics objectively measure whether the ILEC is providing the functionality to an established quality standard?
- (3) How do the ILECs intend to provide those functionalities to competitors on a permanent forward-looking basis?
- (4) What is the TELRIC of providing such functionalities to competitors?

#### **TUESDAY, APRIL 29**

##### **Review of Pacific's and GTEC's Forward-Looking OSS Interface with CLCs.**

- Description of the systems, features, functions, electronic interfaces and the associated TELRIC that the ILECs intend to implement.

#### **WEDNESDAY, APRIL 30**

##### **Review of Pacific's and GTEC's Pre-ordering and Ordering Systems.**

- Description of databases containing customer and facilities information needed to meet service requests, including existing configuration, services available from switch type, verification of customer information, and available outside plant facilities.
- Description of interfaces allowing customer service representatives to verify necessary information while the customer is on the line before committing to fulfill the request.

- Description of ordering systems used to initiate and track to completion retail orders for new or changed service.
- Description of systems organizing the ordering process to ensure that the required information is obtained from the customer or internal databases.
- Description of systems that publish an order throughout the necessary ILEC departments in order to provide requested service.
- Description of the systems and functions needed to commit necessary facilities to meet a service request.
- Description of the order tracking process and verification of installation.
- The associated TELRIC of all these functions.

#### **THURSDAY, MAY 1**

##### **Review of Pacific's and GTEC's Provisioning Systems.**

- Description of order publication throughout the ILECs' departments.
- Description of all automated and manual tasks initiated by an order.
- Description and overview of engineering review.
- Description of design and configuration of facilities.
- Description of installation and cross-connects.
- Description of translations and testing.
- The associated TELRIC of all these functions.

#### **FRIDAY, MAY 2**

##### **Review of Pacific's and GTEC's Billing and Maintenance and Repair Systems.**

- Description of systems used to record, store and process information needed to bill customers for services, including recording process, storage media and transmission methods.
- Description of time frames for availability of information.

- Description of systems used to receive and resolve retail customer reports of trouble.
- Description of automated testing systems and information provided by them.
- Description of systems and processes used to initiate technician response to trouble.
- Description of trouble tracking system and reporting trouble resolution.
- Emergency response and recovery systems and procedures.
- The associated TELRIC of these functions.

**FRIDAY, JUNE 6**

Opening Comments on Non-Recurring Costs.

**FRIDAY, JUNE 27.**

Reply Comments on Non-Recurring Costs.

PROOF OF SERVICE

I am over 18 years of age, not a party to this action and employed in San Francisco, California at Three Embarcadero Center, San Francisco, California 94111-4067. I am readily familiar with the practice of this office for collection and processing of correspondence for mailing with the United States Postal Service and correspondence is deposited with the United States Postal Service that same day in the ordinary course of business.

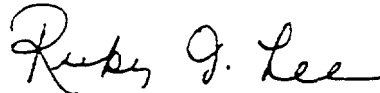
Today I served the attached:

**COMMENTS OF AT&T COMMUNICATIONS OF  
CALIFORNIA, INC. (U 5002 C) AND MCI  
TELECOMMUNICATIONS CORP. (U 5011 C) ON  
SUPPLEMENTAL OPERATIONS SUPPORT SYSTEMS  
FILINGS OF PACIFIC BELL AND GTE CALIFORNIA,  
INC. AND WORKSHOP AGENDA**

by causing a true and correct copy of the above to be placed in the United States Mail at San Francisco, California in sealed envelope(s) with postage prepaid, addressed as follows:

**SEE ATTACHED LIST**

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on April 11, 1997.



---

Ruby J. Lee

**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, DC 20554**

In the Matter of: )

Implementation of the Local )  
Competition Provisions in the )  
Telecommunications Act of 1996 )

CC Docket No. 96-98

**SOURCE MATERIALS  
Volume 10 of 10**

**TAB 78 [Wisconsin URR] through  
TAB 81 [AT&T Supplemental]**

**TO  
PETITION FOR  
FOR EXPEDITED RULEMAKING**

**BY  
LCI INTERNATIONAL TELECOM CORP.  
and  
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May 30, 1997

## TABLE OF SOURCES AND SOURCE CONVENTIONS\*

<u>TAB</u>	<u>Convention</u>	<u>Source</u>
78	Wisconsin URR:	Wisconsin Utility Regulation Report (Apr. 3, 1997)
79	Wood:	Deposition of Lesley Wood Before the California Public Utilities Commission, Case No. 96-012-026 (Apr. 14, 1997)
80	Workshop Comments:	Comments of AT&T and MCI on Supplemental Operations Supports Systems Filings of Pacific Bell and GTE Before the California Public Utilities Commission, Docket No. R.93-04-003 (Apr. 11, 1997)
81	AT&T Supplemental	Supplemental Post-Hearing Brief of AT&T Communications of Illinois, Inc. Before the Illinois Commerce Commissionin Docket No. 96-0404 (May 21, 1997)

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\* Other than the few items marked with an (\*), the cited pages from these materials are assembled and presented in separate volumes with an index for convenient reference (where the documents are lengthy, only the cited pages appear). These source materials may be obtained upon request in their abbreviated or in complete form. The items marked with an (\*) are omitted from the collection of source materials because they are generally available or have been filed previously with or promulgated by the Commission.

**STATE OF ILLINOIS**  
**ILLINOIS COMMERCE COMMISSION**

ILLINOIS COMMERCE COMMISSION

Investigation concerning Illinois Bell  
 Telephone Company's compliance with  
 Section 271(c) of the Telecommunications  
 Act of 1996

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Docket No. 96-0404

**SUPPLEMENTAL POST-HEARING BRIEF OF**  
**AT&T COMMUNICATIONS OF ILLINOIS, INC.**

AT&T Communications of Illinois, Inc. ("AT&T") submits this supplemental Post-Hearing Brief in this docket investigating Illinois Bell Telephone Company's ("Illinois Bell" or "Ameritech") compliance with Section 271(c) of the Telecommunications Act of 1996.

**PROCEDURAL BACKGROUND**

This proceeding was initiated by the Commission by Order dated August 26, 1996. Pursuant to the schedule adopted by the Hearing Examiner, the parties filed prefiled testimony in this matter between September 27, 1996 and January 6, 1997. The Hearing Examiner conducted hearings on January 13, 14, 15, 16, 17 and 21. The parties submitted post-hearing briefs and on March 7, 1997 the Hearing Examiner issued the Proposed Order (the "Proposed Order") which, if adopted by the Commission, would have recommended to the FCC that Ameritech has not met the competitive checklist

requirements of Section 271(c)(2)(B) of the Telecommunications Act of 1996 (the "Act") or the requirements of Section 271(c)(1) and 271(c)(2)(A) of the Act.

On March 11, 1997, before the time expired for the parties to file their exceptions to the Proposed Order, Ameritech filed a Motion to Suspend the Schedule for Exceptions and Establish Procedures for the Taking of Additional Evidence, requesting that the Hearing Examiner reconsider his recommendation in the Proposed Order. The Hearing Examiner entered an order dated March 21, 1997, agreeing to a schedule for the parties to submit additional testimony and scheduling hearings thereon. However, the parties were admonished to submit only "new and updated" information.

Consequently, Ameritech filed supplemental testimony on April 4, 1997. AT&T and Staff filed testimony on April 23, 1997 and the Hearing Examiner held a hearing in Chicago on May 6-7, 1997. AT&T submits this brief in support of its position as advanced by its witnesses in the prefled supplemental testimony and at the hearing of May 6-7, 1997.

### INTRODUCTION

On March 7, the Hearing Examiner concluded based upon the evidentiary record that Ameritech is not in compliance with six of the fourteen Section 271 checklist items. In response, Ameritech complained that the record had become "out-of-date" and that "new and updated information" was available on these six items that would remedy the noted deficiencies. The docket was therefore reopened for the submission of new



evidence.<sup>1</sup> The Hearing Examiner's ruling specified, however, that further submissions would be accepted on all issues, not just those resolved against Ameritech in the Proposed Order.

The evidence is now in, and it provides no basis for changing the conclusions reached by the Hearing Examiner in the Proposed Order as to checklist items that Ameritech has failed to meet. To the contrary, the supplemental evidence serves only to highlight and further detail the substantial stumbling blocks and operational impediments outlined in the Proposed Order. Indeed, rather than curing evidentiary deficiencies, the supplemental proceedings served only to give greater substance to the conclusion that Ameritech Illinois is far from complying with the competitive checklist in Section 271 of the Telecommunications Act of 1996, and that any filing by Ameritech Illinois for relief from its interLATA restrictions, at this point, would be entirely premature.

As made clear during the supplemental round of hearings, Ameritech's compliance is still fatally deficient in at least the following ways:

*First*, Ameritech has not demonstrated that it is providing nondiscriminatory access to its operation support systems. CLEC orders are still being improperly rejected or "back logged" as they await processing and internal system defects are producing customer-impacting snafus that range from delayed provisioning to double-billing. But the evidence of the system errors tells only half the story. The remainder is told by Ameritech's actual OSS performance data, which conclusively shows that Ameritech's

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<sup>1</sup> In this supplemental brief, AT&T addresses only the issues germane or related to the parties' submission of supplemental evidence. To the extent that AT&T disagrees with any of the other findings or conclusions in the Proposed Order, for example non-evidentiary issues, AT&T reserves the right to address those matters through the established exceptions process.